

REMARKS

Reconsideration of this application is requested in view of the amendments to the claims and the remarks presented herein.

The claims in the application are claims 1 to 11, 13 to 15, 19 and 20, all other claims having been cancelled.

All of the claims were rejected under 35 USC 112, second paragraph. The Examiner indicated that the use of "B" was not defined and $-\text{CH}_2\equiv\text{N}$ was incorrect and the Examiner objected to the use of the term "and/or".

Applicants respectfully traverse this ground of rejection since the amended claims are believed to properly define the invention. Claim 16 has been cancelled and that obviates the use of the term "and/or" and the terms objected thereto by the Examiner. The definition of R_2 has been corrected to correct the errors noted by the Examiner. It is deemed that the expression "all possible isomeric forms and their mixtures" is clearly definite and is consistent with use by the Patent Office as indicated in the claims of the Courtin et al patent cited by the Examiner. Therefore, the amended claims are believed to comply with 35 USC 112 and withdrawal of this ground of rejection is requested.

The Examiner's objections to the claims have been overcome by the amendment to the present claims to use commas at the end of each substituent.

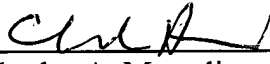
All of the claims have been rejected under 35 USC 102 as being anticipated by the Courtin et al patent which has an effective date of December 9, 1998.

Applicants respectfully traverse this ground of rejection since the amended claims are believed to be clear of the compounds defined by the Courtin et al patent. The present claims distinguish from the compounds of the Courtin et al patent in the definition of R₂ wherein R₂ is alkylamino or a group of heterocyclic compounds or alkylcyano or other substituents which are not taught by the Courtin et al patent. Therefore, the same does not anticipate Applicants' compounds and withdrawal of this ground of rejection is requested.

It is noted that the Examiner has rejected all of the claims under the judicially created doctrine of obviousness type double patenting with respect to the compounds of the Courtin et al patent. Again, as noted above with respect to 102 anticipation rejection, the present claims are distinct from the compounds disclosed in the Courtin et al patent and therefore, the obviousness type double patenting rejection does not apply.

In view of the amendments to the claims and the above remarks, it is believed that the claims clearly point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,
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CAM:ds
Enclosure